

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                      Case No. 4:11CR451 JAR  
                                )  
JAMES FRANCE,             )  
                                )  
Defendant.                 )

**ORDER**

This matter is before the Court on Defendant's Objections to Report and Recommendation (ECF No. 78).<sup>1</sup> Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Terry I. Adelman, who filed a Report and Recommendation on December 10, 2012 (ECF No. 78). Defendant filed objections to the Report and Recommendation (ECF No. 81).

The Magistrate Judge recommends that Defendant's Motion to Suppress Statements (ECF No. 56) and Defendant's Motion to Dismiss (ECF No. 58) be denied. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

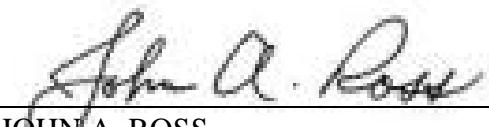
**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [78] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that Defendant's Motion to Suppress Statements [56] and Defendant's Motion to Dismiss [58] are **DENIED**.

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<sup>1</sup>Defendant filed a motion to suppress statements, a motion to suppress physical evidence, and a motion to dismiss indictment. Magistrate Judge Adelman held a hearing on Defendant's motions on October 24, 2012. On October 26, 2012, Defendant filed a written motion to withdraw the motion to suppress physical evidence, which Magistrate Judge Adelman granted.

Dated this 28th day of December, 2012.

  
John A. Ross  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE